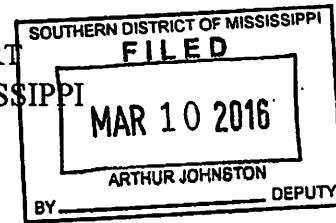


IN THE UNITED STATES DISTRICT COURT
FOR THE SOUTHERN DISTRICT OF MISSISSIPPI
NORTHERN DIVISION



UNITED STATES OF AMERICA

v.

CRIMINAL NO. *3:16cr16 DJS-FKB*

JAMES GLENN DUKES

18 U.S.C. § 2252(a)(2)

18 U.S.C. § 2252(a)(4)(B)

The Grand Jury charges:

COUNT 1

That on or about August 24, 2013, through on or about October 18, 2013, in Rankin County, in the Northern Division of the Southern District of Mississippi, the defendant, **JAMES GLENN DUKES**, did knowingly receive any visual depiction that had been mailed, shipped, or transported in interstate or foreign commerce, or which contained materials that had been so mailed, shipped, or transported, and the producing of the depiction involved a minor engaging in sexually explicit conduct and was of such conduct, specifically: the defendant using a computer and modem, received via the Internet and interstate commerce, at least one visual depiction that the defendant then knew was a visual depiction, the producing of which involved the use of a minor engaged in sexually explicit conduct was such conduct as defined in Section 2256, Title 18, United States Code.

All in violation of Section 2252(a)(2), Title 18, United States Code.

COUNT 2

That on or about October 18, 2013, in Rankin County, in the Northern Division of the Southern District of Mississippi, the defendant, **JAMES GLENN DUKES**, knowingly distributed, using any means or facility of interstate or foreign commerce, including by a

computer, a visual depiction, the production of which involved the use of a minor engaging in sexually explicit conduct, and which visual depiction was of such conduct, as defined in Section 2256, Title 18, United States Code, and that had traveled in interstate or foreign commerce.

All in violation of Section 2252(a)(2), Title 18, United States Code.

COUNT 3

That on or about February 20, 2015, in Rankin County, in the Northern Division of the Southern District of Mississippi, the defendant, **JAMES GLENN DUKES**, did knowingly possess one or more matters that contained any visual depiction, using any means or facility of interstate or foreign commerce or that had been mailed, shipped, or transported in interstate or foreign commerce, or which was produced using materials that had been so mailed, shipped, or transported, the production of which involved one or more minors engaging in sexually explicit conduct and the depiction was of such conduct, specifically: the defendant possessed a Seagate computer hard drive, Serial Number (S/N) 9RW47H6E, containing one or more file images, in digital still or video format, that contained visual depictions, the production of which involved the use of a minor engaged in sexually explicit conduct, and was of such conduct, as defined in Section 2256, Title 18, United States Code, and that had traveled in interstate commerce.

All in violation of Section 2252(a)(4)(B), Title 18, United States Code.

NOTICE OF INTENT TO SEEK CRIMINAL FORFEITURE

As a result of committing the offenses as alleged in this Indictment, the defendant shall forfeit to the United States all property involved in or traceable to property involved in the offenses, including but not limited to all proceeds obtained directly or indirectly from the offenses, and all property used to facilitate the offenses.

The grand jury has determined that probable cause exists to believe that the following


property is subject to forfeiture as a result of the offenses alleged in this indictment:

1. Seagate computer hard drive, S/N 9RW47H6E and
2. Compaq Presario tower and computer hard drive, S/N MXF53330NME.

Further, if any property described above, as a result of any act or omission of the defendant: (a) cannot be located upon the exercise of due diligence; (b) has been transferred or sold to, or deposited with, a third party; (c) has been placed beyond the jurisdiction of the Court; (d) has been substantially diminished in value; or (e) has been commingled with other property, which cannot be divided without difficulty, then it is the intent of the United States to seek a judgment of forfeiture of any other property of the defendant, up to the value of the property described in this notice of any bill of particulars supporting it.

All pursuant to Section 2253(a)(2), Title 18, United States Code.

A TRUE BILL:
S/SIGNATURE REDACTED
Foreperson of the Grand Jury


GREGORY K. DAVIS
United States Attorney

This indictment was returned in open court by the foreperson or deputy foreperson of the grand jury on this the 10th day of March, 2016.


UNITED STATES MAGISTRATE JUDGE